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EXTRAORDINARY

PART II—Section 3—Sub-section (ii)

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CABINET SECRETARIAT

NOTIFICATION

New Delhi, the 4th August 1959

S.O. 1769.—The following draft of certain rules which the Central Government proposes to make in exercise of the powers conferred by section 14 of the Collection of Statistics Act, 1953 (32 of 1953), is hereby published as required by sub-section (1) of the said section for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 5th September 1959.

Any objection or suggestion received from any person with respect to the said draft before the said date will be considered by the Central Government.

DRAFT

COLLECTION OF STATISTICS (CENTRAL) RULES, 1959

1. **Title.**—These rules may be called the Collection of Statistics (Central) Rules, 1959.

2. **Definitions.**—In these rules, unless the context otherwise requires—

- (1) 'Act' means the Collection of Statistics Act, 1953 (32 of 1953);
- (2) 'notice' means the notice referred to in rule 3;
- (3) 'plantation' means a commercial concern referred to in sub-clause (ix) of clause (b) of section 2 of the Act;
- (4) 'statistics authority' means the officer appointed by the Central Government to be the statistics authority under section 4 of the Act; and
- (5) 'survey year' means—
 - (a) in relation to the collection of statistics relating to a factory engaged in the sugar industry, the twelve calendar months commencing from the 1st July of a year and ending with the 30th June of the succeeding year;
 - (b) in any other case, the calendar year in respect of which the statistics are being collected.

3. **Service of notice.**—For the purpose of the collection of statistics under these rules, the statistics authority shall serve upon the owner of any factory, industrial concern or plantation, a notice requiring the owner to furnish the statistics authority with the following, within a period to be stated in the notice (which period shall not be less than three calendar months from the date of service of the notice on the owner).

- (a) One or more returns in such manner as is indicated in the notice as appropriate for the purpose;

- (b) if the factory, industrial concern, or plantation is owned by a company as defined by the Companies Act 1956 (1 of 1956), a copy of the annual balance sheet and profit and loss account and of the Director's report, if any, for the survey year, or if the company's accounting year does not correspond to the survey year, then for the accounting year which corresponds as nearly as possible to the survey year, for which the accounts have been closed:

Provided that it shall be lawful for the notice to require that more than one copy of a return or other document shall be furnished or that different returns or documents shall be sent on different dates, or in respect of different parts of the activities of the factory, industrial concern or plantation.

4. Particulars to be furnished.—The returns which the owner may be required to furnish under the notice shall contain all or any of the following particulars, as indicated in the notice, namely:—

- (1) Identification particulars, (2) nature of ownership and management, (3) value of and expenditure on different components of fixed capital, (4) value of and transactions on different components of working capital, (5) details of employment including number of persons employed, man-hours worked and payments made for different categories of employees, (6) value of privileges or benefits accruing to individuals or groups of employees, (7) number and power of different kinds of prime movers separately and for different types of motive force, (8) number and strength of motors, (9) installed capacity, (10) details of consumption of fuel, electricity and lubricants and their quantity and value, (11) other materials, and services consumed including raw materials, chemicals, packing materials and stores and services purchased, (12) value and quantity of products meant for sale, including amount received for work done by the factory for other concerns, (13) sales to different types of customers, (14) stocks of fuels, materials and products, (15) inventory of equipment other than power equipment, (16) present age, condition and service life of buildings, plant and machinery, (17) any other particulars on which information may be supplied at the discretion of the owner.

5. Objections.—(1) If the returns and other documents required from the owner cannot be furnished by him in the manner in which or the period for which the notice requires him to furnish, by reason of their not being capable of being compiled from his accounts or other records or for any other reasonable cause, he shall supply them in such manner and for such periods which correspond as nearly as possible to the manner and period referred to in the notice and shall apply to the statistics authority in writing within the period allowed in the notice to treat such compliance as full compliance with the notice.

(2) Where the statistics authority rejects an application made under sub-rule (1), the time within which the owner is required by the notice to submit the returns and other documents shall be deemed to have been extended by a period equal to the interval between the date of the application and the date of receipt by the owner, of the statistics authority's order rejecting the application.

6. Alteration of returns and extension of time.—On an application by the owner or otherwise, it shall be competent for the statistics authority to issue orders adding to or otherwise varying the heads under which the owner has been required to furnish the returns and other documents in any manner in which he could have been asked to furnish in the original notice and the owner shall thereupon be required to furnish such revised returns and documents as if he had been required to furnish them in the original notice:

Provided that where the order has been made otherwise than on the application of the owner, the time limit for the submission of the revised returns and other documents shall be deemed to have been extended to three months from the date of receipt of such order by the owner;

Provided further that the statistics authority may extend the time limit mentioned in the notice, in his discretion, in any other case also.

7. Interruption of ownership or working.—(1) If at any time during the period in respect of which the returns or other documents are called for in the notice, the owner ceases to be the owner, he shall furnish to the statistics authority the

returns and documents in respect of that part of the period for which he was the owner.

(2) If a factory, an industrial concern or a plantation discontinues to function during the period in respect of which returns and other documents relating to it have been called for, the owner shall furnish to the statistics authority the returns and other documents for the period up to the date on which the factory, industrial concern or plantation discontinued to function.

8. **Service of notice.**—Any notice or order required to be served on the owner under these rules may be served by transmission through the post under registered cover with acknowledgement due, or through a person authorised by the statistics authority to serve such notice by delivering it at the place of business of the owner and obtaining an acknowledgement for it.

9. **Language in which information should be furnished.**—All information required to be furnished under these rules shall be furnished in English or in such other language as the Central Government may by order specify.

10. **Opportunity to show cause before sanction of prosecution.**—The statistics authority shall, before sanctioning a prosecution under section 11, give a reasonable opportunity to the person to show cause why such prosecution should not be sanctioned.

[No. 31/17/59-Estt.]

P. C. MATHEW, Joint Secy.

